

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1-11. These sheets, which include Figs. 1-11, replace the original sheets including Figs. 1-11.

Attachment: Replacement Sheets (4).

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-13 and 15-23 are pending. Claims 22 and 23 are newly added, and Claim 14 has been canceled. Support for newly added Claims 22 and 23 can be found in the published application in numbered paragraph [0083] and in Fig. 8, for example. Claims 1, 8, 10, 15 and 18 are amended. Support for the amendment to Claim 1 can be found in the published application in numbered paragraph [0003] and numbered paragraph [0138], for example. Support for the amendments to Claims 8, 15, and 18 is self-evident. Support for the amendment to Claim 10 can be found in Figs. 1 and 4, for example. No new matter is added. The drawings are amended to add cross-hatching as required in the outstanding Office Action.

In the outstanding Office Action, Claims 18 and 19 were indicated as drawn to a non-elected invention. The drawings were objected to for not showing all of the features recited in Claim 14. The drawings were objected to for not including cross hatching. Claims 1, 8, 10, 11, and 15 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1 and 15-17 were rejected under 35 U.S.C. § 102(b) as anticipated by Metcalf (WO 98/42947, herein "Metcalf '947"). Claims 2-5 and 20 were rejected under 35 U.S.C. § 103(a) as obvious over Metcalf '947. Claims 6-11 and 21 were rejected under 35 U.S.C. § 103(a) as obvious over Metcalf '947 in view of Pallini, Jr., et al. (U.S. Patent No. 6,478,344, herein "Pallini"). Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as obvious over Metcalf '947 in view of Klementich (U.S. Patent No. 5,462,315).

Claim 14 was rejected under 35 U.S.C. § 103(a) as obvious over Metcalf '947, Pallini, and Yamamoto (U.S. Patent No. 5,419,595, herein "Yamamoto"). Claims 1, 6-19, and 21 were provisionally rejected under the doctrine of obviousness-type double patenting

over Claims 1, 2, 12-17, 23-25, 30, 31, 32, and 36 of co-pending U.S. Application No. 10/580,607 and Claims 1, 10-12, 15, 18-23, 25, 26, 36, and 41 of co-pending Application No. 10/580,718.

At the outset, Applicants note with appreciation the courtesy of a personal interview granted by Examiner Robert Williams and Supervisory Patent Examiner (SPE) Daniel Stodola to Applicants' representative on April 20, 2010. In combination with the Interview Summary provided by Examiners Williams and Stodola, the substance of the personal interview is substantially summarized below in accordance with MPEP § 713.04.

Regarding the restriction of Claims 18 and 19 as drawn to a non-elected invention, Applicants respectfully traverse that rejection as follows. Claim 18 is amended to recite “providing” followed by a listing of all of the components recited in amended independent Claim 1. Accordingly, Claim 18 requires all of the features of amended independent Claim 1 and further recites method steps of assembling the components recited in Claim 1. As discussed in the personal interview, MPEP § 1850 states that an independent claim for a process especially adapted for the manufacturer of a product is permitted to be included even though such a claim may be directed to a different statutory category of invention than the product itself. Claim 18 recites a process of assembling the product of Claim 1 and should be examined together with Claim 1 as set forth in MPEP § 1850. In this regard, Claim 18 is amended to remove the phrase “based on an initial assembly according to Claim 1.” This language is replaced with an explicit recitation of the features recited in Claim 1. Accordingly, Applicants respectfully submit that the restriction requirement (lack of unity objection) should be withdrawn.

Regarding the objection to the drawings as not showing all of the features recited in Claim 14, Claim 14 is canceled. Accordingly, Applicants respectfully submit that this objection to the drawings is negated.

Regarding the objection to the drawings as not including proper hatching, replacement drawing sheets are submitted herewith including hatching as requested in the outstanding Office Action. Accordingly, Applicants respectfully submit that this objection to the drawings is overcome.

Regarding the rejection of Claim 1 as indefinite, Claim 1 is amended to include the language suggested in the outstanding Office Action and by Examiner Williams during the personal interview. Accordingly, Applicants respectfully submit that the rejection of Claim 1 as indefinite is overcome.

Regarding the rejection of Claim 8 as indefinite, Claim 8 is amended to correct its dependency, as discussed during the personal interview.

Regarding the rejection of Claim 10 as indefinite, Claim 10 is amended to further differentiate the cylindrical portion from the curvilinear portions, as discussed during the personal interview.

Regarding the rejection of Claim 15 as indefinite, Claim 15 is amended to remove "type" where appropriate.

Accordingly, Applicants respectfully submit that all the rejections for indefiniteness have been addressed.

Regarding the rejection of Claims 1 and 15-17 as anticipated by Metcalf, that rejection is respectfully traversed by the present response. Amended Claim 1 recites, in part:

wherein the assembly is configured to develop, after diametral expansion in the plastic deformation region, sealing interference contacts sealing the assembly, and the first and second tubular elements are sealed with respect to a pressure difference between the inside and outside of the first and second tubular elements.

Accordingly, the tubular elements are sealed with respect to a pressure difference inside and outside the tubular elements.

In contrast, Metcalfe '947 is directed to an assembly with overlapping longitudinal slots (12). The slots (12) are present on the male tubular elements and the female tubular element and are intended to allow fluids to pass into and out of the tubing assembly described in Metcalfe '947. Thus, Metcalfe '947 does not disclose tubular elements that are sealed with respect to a pressure difference inside and outside the tubular elements.

As further discussed during the personal interview, modify Metcalfe '947 to remove the slots from Metcalfe '947 would render Metcalfe '947 unsuitable for its intended use. Thus, not only does Metcalfe '947 fail to disclose all of the features recited in amended independent Claim 1, a person of ordinary skill in the art, at the time the claimed invention was made, would not have had any apparent reason to modify Metcalfe '947 to include all of the features recited in amended independent Claim 1. Rather, such a modification to Metcalfe '947 would render Metcalfe '947 unsuitable for its intended use.

For at least the foregoing reasons, Applicants respectfully submit that amended independent Claim 1, and all of the claims depending therefrom patentably distinguish over Metcalfe '947, taken alone or in any reasonable combination with the remaining cited references. Claim 18 patentably distinguishes over any reasonable combination of the cited references for at least the same reasons Claim 1 does.

Newly added dependent Claims 22 and 23 depend, indirectly, from amended independent Claim 1 and patentably distinguish over any reasonable combination of the cited references for at least the same reasons as amended independent Claim 1 does.

Additionally, newly added dependent Claim 22 recites that the assembly is configured to develop, after expansion in the plastic deformation region, sealing interference contact of the first annular lip **with a portion of the groove**.

As discussed during the personal interview, one non-limiting embodiment of the above-noted feature is depicted in Fig. 8 and discussed in the published application in numbered paragraph [0083], for example.

The outstanding Office Action cites, in the rejection of dependent Claim 6, Pallini for the feature of an inner annular groove. However, as discussed during the personal interview, the groove described in Pallini is for stress relief. The inner surface of the groove described in Pallini does not contact another component to form a sealing surface. Accordingly, Applicants respectfully submit that newly added Claim 22 further patentably distinguishes over any reasonable combination of the cited references for at least the additional reasons discussed above.

Newly added dependent Claim 23 depends from Claim 22 and further defines the shape of the first annular lip after the expansion in the plastic deformation region. Accordingly, as Pallini does not disclose or suggest the sealing interference contact of the first annular lip with a portion of the groove recited in Claim 22, Pallini also fails to disclose the additional features recited in newly added dependent Claim 23 relating to the first annular lip.

Regarding the provisional obviousness-type double patenting rejections, these rejections, if maintained, will be addressed when the earlier-filed of Application Nos. 10/580,607 and 10/580,718 issues. In this regard, Applicants respectfully note that U.S. Application No. 10/580,607 was filed as a PCT application on November 23, 2004, the same day as the present application was filed. Accordingly, either the present application or U.S. Application No. 10/580,607 may issue as a patent without the provisional obviousness-type double patenting rejection having been addressed.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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